

225 Newtown Road  
Acton, MA 01720

February 2, 2010

Planning Board  
Town of Acton  
472 Main Street  
Acton, MA 01720

Re: Hearing on Proposed Zoning Changes

Members of the Board:

I hope to be at the public hearing this evening however in the event I don't make it I have the following comments on the proposed changes.

### **Outdoor Retail Sales**

The proposal to allow outdoor retail sales as an accessory use to a principal business use is clearly a step in the right direction. It will legitimize and codify something that has been a regular occurrence in Acton for years. Annual sidewalk sales are the norm at many of our shopping plazas. It is logical to make them legal especially since there has never been public outcry opposing them. I suspect most people assume they are legal already.

Whether the scenario proposed is "workable" or "enforceable" remains to be seen. It may actually require enacting it to see how it works allowing for tweaking by way of future amendments.

### **Special Event Signs**

This is without a doubt the most difficult-time consuming and least rewarding section of the sign bylaw to enforce. Having chased these signs for ten and half years, I can attest to it. I am also sure I can still list the businesses, which will continue to refuse to comply no matter how much you give them. The section needs revising from what we thought would work in 1991, to reflect the years of experience in enforcement and the concerns raised by legitimate businesses in town. It also needs to move to make enforcement easier with reduced staffing levels.

What is proposed takes it too far. 90 days is an excessive number of days. I believe it will make enforcement even more onerous. The public outcry over signs left out for long periods will require contacting and reviewing the records of those with licenses. It will also mean more signs out in general so it will be harder to spot unlicensed special event signs.

I definitely support the elimination of the four events per year. It was a major sticking point for most businesses. This gives the business the flexibility of how to use their allotted days.

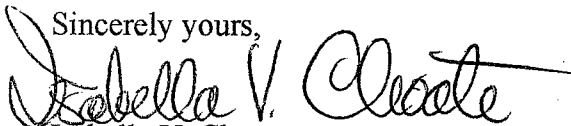
I also support a modest increase in the number of days allowed. 90 days is too many days. In my years most businesses could manage with 28 days, a few really needed a second 28 days that they could not have under the existing bylaw. I would suggest 45 days as a reasonable accommodation. I think most businesses will see this as a great benefit.

Requiring businesses to keep a record of actual days displayed is good. However, either as part of the bylaw language or as part of administrative procedures, in the actual wording of the licenses, the business should be required to give dates in advance of the actual display to the zoning enforcement officer. I believe our old license carried a warning that we could ticket on the spot without further warning any sign where we didn't have the dates on file, in writing and in advance of the display. I think this will simplify the tracking of signs in the event there is a violation complaint. It will also work to keep honest businesses honest.

While I seldom admit to actually working on the 1991 draft bylaw committee, especially those years I was enforcing the bylaw for the Town, I did, and as a representative from the Chamber of Commerce. I think with a reduced number of days this is a reasonable change that will help both business and enforcement.

Those who refuse to comply now will continue to ignore the bylaw. Their signs will go out at 5 pm on Friday night and be gone by Monday morning.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Isabella V. Choate". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Isabella V. Choate  
Resident